Title V Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Solutia, Inc.
Facility Name:	CPFilms, Inc. – Axton Plant
Facility Location:	47 Brenda Drive Axton, Virginia 24054
Registration Number:	30877
Permit Number:	WCRO-30877

July 5, 2007
Renewal Effective Date

July 4, 2012
Expiration Date

Steven A. Dietrich, P.E.
Regional Director

Signature Date

Table of Contents, 2 pages
Permit Conditions, 19 pages

Table of Contents

I. Facility Information

Permittee
Solutia Inc.
P.O. Box 66760
St. Louis, MO 63166-6760

Responsible Official
Keith Dalton, Vice President, Operations

Operator
CPFilms, Inc.
P.O. Box 5068
Martinsville, VA 24115

Facility
CPFilms, Inc. – Axton Plant
P.O. Box 170
Axton, VA 24054

Contact Person
James S. Ketterer, Environmental/Safety Manager
276-627-3373

County-Plant Identification Number: 51-089-0091

Facility Description: NAICS code 322222 – CPFilms, Inc. is a manufacturer of solar controlled window film; the Axton facility consists of two dye baths that dye the film prior to further processing at the Fieldale facility.
The facility is a Title V major source of volatile organic compounds (VOCs) and a single HAP (ethylene glycol). This source is located in an attainment area for all pollutants. MACT, 40 CFR 63 Subpart JJJJ, does not apply to the facility because that MACT covers coating operations and this facility only involves dyeing. MACT, 40 CFC 63 Subpart OOOO does not apply because it covers the coating and dyeing of fabric, not film.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	Pollutant Controlled	Applicable Permit Date
Process Units						
01	01	#5 Dye Line, includes dye bath, wash baths and dryer.	48,750 ft²/hour	Brinks (2000) Mist Eliminator with pre-cooler (EG Recovery System)	VOC	SOP June 8, 2007
02	02	#6 Dye Line, includes dye bath, wash baths and dryer	48,750 ft²/hour	Brinks (2000) Mist Eliminator with pre-cooler (EG Recovery System)	VOC	SOP June 8, 2007

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Process Equipment Requirements – Dye Lines #5 and #6

A. Limitations

1. **Emission Controls/EG Recovery Systems** - Volatile organic compound (VOC) emissions from each dye bath shall be controlled by a fume capture hood and an ethylene glycol (EG) recovery system (pre-cooler in series with a Brinks mist eliminator). The capture hood and EG recovery system shall be provided with adequate access for inspection and shall be in operation when the respective dye line (Nos. 5 & 6) is operating.
   (9 VAC 5-80-110 and Condition 2 of June 8, 2007 SOP)

2. **Control Efficiency/EG Recovery Systems** - The EG recovery system shall demonstrate a control efficiency by stack test of no less than 95% on a mass balance.
   (9 VAC 5-80-110 and Condition 3 of June 8, 2007 SOP)

3. **Emission Controls/ EG Recovery System -** The exit air temperature from each EG recovery system exhaust stack shall be maintained at ≤100º F. If the temperature reaches 110º F, the permittee shall take corrective action to return the temperature to ≤100ºF. If the EG recovery system exhaust temperature reaches 120º F, the permittee shall shut down the dye bath until the cause has been corrected and the exhaust temperature can be maintained at ≤100º F.
   (9 VAC 5-80-110 and Condition 12 of June 8, 2007 SOP)

4. **Emission Controls/ Dye Bath Capture System -** The minimum pressure drop across the dye bath capture system is -0.25 inches of water. If the pressure drop is -0.24 inches of water or less, the permittee shall shut down the dye bath until the cause has been corrected and the pressure drop can be returned to -0.25 inches of water or greater.
   (9 VAC 5-80-110 and Condition 13 of June 8, 2007 SOP)

5. **Emission Controls/ Brinks Demister** - The pressure drop across each Brinks demister shall not be less than 4.0 inches of water or be greater than 12.0 inches of water. If the pressure drop is outside of the prescribed range, the permittee shall shut down the dye bath until the cause has been corrected and the pressure drop can be maintained within the prescribed range.
   (9 VAC 5-80-110 and Condition 14 of June 8, 2007 SOP)

6. **Visible Emissions** - Visible emissions from the facility's roof exhaust vents, wall exhaust vents and EG recovery system exhaust stacks stall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
   (9 VAC 5-50-20, 9 VAC 5-50-80, 9 VAC 5-80-110 and Condition 18 of June 8, 2007 SOP)

7. **Emission Limit** - Emissions from the operation of each EG recovery system shall not exceed the limits specified below:

Volatile Organic Compounds	14.54 lbs/hr

Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition III.A.1 through III.A.5.
(9 VAC 5-80-110 and Condition 16 of June 8, 2007 SOP)

8. **Emission Limit** -Total emissions from the window film manufacturing facility shall not exceed the limits specified below:

Volatile Organic Compounds	248.0 tons/yr

Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition III.A.1 through III.A.5.
(9 VAC 5-80-110 and Condition 17 of June 8, 2007 SOP)

B. Monitoring

1. **Monitoring Device/EG Recovery System** - Each EG recovery system shall be equipped with a device to continuously measure and record exhaust temperature. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when each dye line is operating.
(9 VAC 5-80-110 and Condition 5 of June 8, 2007 SOP)

2. **Monitoring Device Observation/EG Recovery System** - To ensure good performance, each EG recovery system shall be equipped with an audible alarm to alert the operator when the exhaust temperature reaches 110º F.
(9 VAC 5-80-110 and Condition 6 of June 8, 2007 SOP)

3. **Monitoring Device/Brinks Demister** - Each EG recovery system shall be equipped with a device to continuously measure the pressure drop across the Brinks demister. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when each dye line is operating.
(9 VAC 5-80-110 and Condition 7 of June 8, 2007 SOP)

4. **Monitoring Device Observation/Brinks Demister** - To ensure good performance, the monitoring device used to continuously measure the pressure drop across each Brinks demister shall be observed by the permittee with a frequency of not less than once per day, that the dye line operated. The permittee shall keep a log of the pressure drop observations from each EG recovery system.
(9 VAC 5-80-110 and Condition 8 of June 8, 2007 SOP)

5. **Monitoring Devices/Capture Hood Exhaust** - Each dye bath fume capture hood exhaust duct shall be equipped with a device to continuously measure the pressure drop across the fume capture system. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when each dye line is operating.
(9 VAC 5-80-110 and Condition 9 of June 8, 2007 SOP)

6. **Monitoring Device Observation/Capture Hood Exhaust** - To ensure good performance, the monitoring device used to continuously measure the pressure drop across each dye bath fume capture system shall be observed by the permittee with a frequency of not less than once per shift that the dye line operated. The permittee shall keep a log of the pressure drop observations from each dye bath fume capture hood exhaust duct.
(9 VAC 5-80-110 and Condition 10 of June 8, 2007 SOP)

7. **Visible Emissions** - At least one time per calendar month, when each dye line is operating, an observation of the presence of visible emission shall be made. Visual observations shall consist of a visual survey of the EG recovery system exhaust stacks, roof vents and wall vents over a 2-minute period while the process is operating to identify if there are visible emissions, other than condensed water vapor. If any visible emissions are observed, the permittee shall:

    a. Verify that the equipment and/or control device causing the visible emission is operating according to the manufacturer's specifications or other site-specific acceptable operating conditions. If the equipment or control device is not operating properly, the permittee shall take timely corrective action such that the dye line(s) resumes operation with no visible emissions, or,

    b. Perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emission from the EG recovery system exhaust stacks, roof vents, and wall vents do not exceed 20 percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 20 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the line resumes operation with visible emissions of 20 percent or less.

The permittee shall maintain a visual observation log for each of the EG recovery system exhaust stacks, roof vents and wall vents to demonstrate compliance. The log shall include the date and time of the observations, name of the observer, whether or not there was visible emission, any VEE recordings and any necessary corrective action.

In the event that visible emission are observed from any given stack or process emission point, the corrective action procedures and Method 9 testing described in this condition shall be immediately instituted. After correction of the opacity problem, the permittee shall conduct weekly visible emission observations at that stack or process emission point. Once weekly visible emission observations are completed for a 6-month period without observing any visible emissions, a monthly schedule may again be instituted at that stack or process emission point.
(9 VAC 5-80-110)

8. **Operation & Maintenance Procedures** – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

   a. develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance;

   b. maintain an inventory of spare parts;

   c. have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum; and

   d. train operators in the proper operation of all air pollution control equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

   Records of maintenance, inspections and training shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
   (9 VAC 5-80-110, 9 VAC 5-50-20E and Conditions 15 and 28 of June 8, 2007 SOP)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Air Compliance Manager, West Central Regional Office. These records shall include, but are not limited to:

a. Emission calculations for VOCs from the dye lines (Ref. Nos. 5 & 6) using calculation methods approved by the Air Compliance Manager, West Central Regional Office to verify compliance with the emissions limitations in Condition III.A.8

b. Control device monitoring records for each EG recovery system's exhaust stack temperature, dye bath fume capture system pressure drop, and demister pressure drop. The operating parameter logs required in Conditions III.B.1, III.B.4, and III.B.6 shall include the date and time, name of the observer, the value of the parameter observed, and any corrective action.

c. Scheduled and unscheduled maintenance and operator training as required in Condition III.B.8.

d. Monthly and annual operating hours of each dye line (Ref. Nos. 5 & 6), calculated as the sum of each consecutive 12-month period.

e. Results of all performance tests; and

f. The results of the weekly and/or monthly opacity observation of all emissions points and any corrective actions to reduce emissions to normal operating conditions as required in Condition III.B.7.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110, Condition No. 22 of June 8, 2007 SOP)

D. Testing

1. **Testing/Monitoring Ports** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30, 9 VAC 5-80-110 and Condition 11 of June 8, 2007 SOP)

E. Reporting

1. **Test Reports** – The details of all stack tests are to be arranged with the Air Compliance Manager, West Central Regional Office. The permittee shall submit a test protocol at least thirty (30) days prior to testing. One copy of the test results shall be submitted to the Air Compliance Manager, West Central Regional Office within 45 days after test completion.
(9 VAC 5-80-110 and 9 VAC 5-80-1180)
See General Conditions, Section VII.C through VII.F for additional reporting requirements.

IV. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
03	Three (3) propane-fired burners for #5 Dye Line dryer	5-80-720 C.2	NOx, SO_2, CO, VOC, PM_{10}	1.2 MMBtu/hr (Heat Input), each
04	Three (3) propane-fired burners for #6 Dye Line dryer	5-80-720 C.2	NOx, SO_2, CO, VOC, PM_{10}	1.2 MMBtu/hr (Heat Input), each
05	Modine propane-fired space heaters.	5-80-720 A.4	NOx, SO_2, CO, VOC, PM_{10}	0.15 MMBtu/hr (Heat Input), each
06	Rezor propane-fired space heaters.	5-80-720 A.4	NOx, SO_2, CO, VOC, PM_{10}	0.10 MMBtu/hr (Heat Input), each
07	Trane propane-fired space heaters.	5-80-720 A.4	NOx, SO_2, CO, VOC, PM_{10}	4.4 MMBtu/hr (Heat Input), each
08	6,000 gallon fixed roof fresh ethylene glycol (EG) storage tank.	5-80-720 B.2	VOC	<5.0 tons/year
09	6,000 gallon fixed roof fresh N-Methyl-2-Pyrrolidone (NMP) (CAS 872-50-4) storage tank.	5-80-720 B.2	VOC	<5.0 tons/year
10	6,000 gallon fixed roof waste NMP and EG storage tank.	5-80-720 B.2	VOC	<5.0 tons/year
11	Three (3) 1,000 gallon dye mixing tanks and funnel for #5 Dye Line.	5-80-720 B.2	VOC	<5.0 tons/year
12	Two (2) 1,000 gallon dye mixing tanks and funnel for #6 Dye Line.	5-80-720 B.2	VOC	<5.0 tons/year
13	Two (2) 6,000 gallon waste water storage tanks.	5-80-720 B.2	VOC	<5.0 tons/year
14	Four (4) 1,000 gallon propane tanks.	5-80-720 B.2	VOC	<5.0 tons/year
15	Number 5 Dye Line Process Heater	5-80-720 A.4	NOx, SO_2, CO, VOC, PM_{10}	3.5 MMBtu/hr (Heat Input)
16	Number 5 Dye Line Process Heater	5-80-720 A.4	NOx, SO_2, CO, VOC, PM_{10}	3.5 MMBtu/hr (Heat Input)

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

V. Compliance Plan

Not Applicable

VI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
Not Applicable	Not Applicable	Not Applicable

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

VII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the effective date of this permit renewal. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.

3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.

4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

    a. The date, place as defined in the permit, and time of sampling or measurements.

    b. The date(s) analyses were performed.

    c. The company or entity that performed the analyses.

    d. The analytical techniques or methods used.

    e. The results of such analyses.

    f. The operating conditions existing at the time of sampling or measurement.

    (9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **September 1** and **March 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

    a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

    b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

        (1) Exceedance of emission limitations or operational restrictions;

        (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

        (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

    c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

    d. The report shall be sent to the following address:

        Air Compliance Manager, VA DEQ
        3019 Peters Creek Road
        Roanoke, VA 24019

    (9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and to DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.

2. The identification of each term or condition of the permit that is the basis of the certification.

3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.

6. Such other facts as the permit may require to determine the compliance status of the source.

7. This annual compliance certification shall be sent to the following addresses:

   Air Compliance Manager, VA DEQ
   3019 Peters Creek Road
   Roanoke, VA 24019

   U. S. Environmental Protection Agency, Region III
   Clean Air Act Title V Compliance Certification (3AP00)
   1650 Arch Street
   Philadelphia, PA 19103-2029

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Air Compliance Manager, West Central Regional Office, within four (4) daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3 of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Air Compliance Manager, West Central Regional Office, by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the

equipment is again in operation, the owner shall notify the Air Compliance Manager, West Central Regional Office.
(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and

5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions.

Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-50-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.
(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

    a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

    b. The permitted facility was at the time being properly operated.

c. During the period of the malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit.

d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirements under 9 VAC 5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-190 C and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82,

Subparts A to F.
(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.

2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

VIII. State-Only Enforceable Requirements

The State Only requirements in the State Operating Permit dated June 8, 2007 have not been included in the Title V permit at the request of the permittee.

ATTACHMENTS

A. Attachment A - DYE LINES NO. 5 AND NO. 6 – Compliance Assurance Monitoring (CAM) Plan

	Indicator 1	Indicator 2	Indicator 3
Indicator	Hood Negative Pressure	Pre-cooler Exhaust Temperature	Pressure Drop Across Demister
Measurement Approach	The pressure is measured by a magnahelic gauge.	The temperature is monitored by a thermocouple.	The pressure is measured by a magnahelic gauge.
Indicator Range	Pressure drop reading ≥-0.25 inches of water. An excursion is defined as a pressure drop reading of less than -0.25 inches water (-0.24 inches of water or less).	Exhaust temperature ≤100ºF. An excursion is defined as a temperature reading of ≥110ºF.	Pressure drop ≥4.0 and ≤12.0 inches of water. An excursion is defined as a pressure drop reading outside of the indicator range.
QIP Threshold	No more than three excursions below the indicator range in any semi-annual reporting period.	No more than three excursions below the indicator range in any semi-annual reporting period.	No more than three excursions outside of the indicator range in any semi-annual reporting period.
Performance Criteria: **Data Representatives**	The monitoring system for each hood consists of a differential pressure gauge that compares the pressure inside and outside the hood exhaust duct. Accuracy: ±1%	The monitoring system for the Pre-cooler consists of a thermocouple located in the exhaust duct from the pre-cooler. Accuracy: ±5ºF	The monitoring system for the Demister consists of a differential pressure gauge that compares the across the inlet and outlet of the Demister. Accuracy: ±1%
Verification of Operational Status	Pressure drop ≥-0.25 inches of water across the hood.	Temperature ≤100ºF.	Pressure drop across the demister between 4.0 and 12.0 inches of water.
QA/QC Practices and Criteria	Magnahelic gauge is factory calibrated. The accuracy of the magnahelic gauge will be checked at least annually. The manufacturer's recommendations will be used at a minimum.	The thermocouple is factory calibrated. The accuracy of the thermocouple will be checked at least annually. The manufacturer's recommendations will be used at a minimum.	Magnahelic gauge is factory calibrated. The accuracy of the magnahelic gauge will be checked at least annually. The manufacturer's recommendations will be used at a minimum.
Monitoring Frequency	Pressure drop shall be measured continuously and observed at least once per shift.	Temperature readings are measured continuously.	Pressure drop shall be measured continuously and observed at least once per day.
Data Collection Procedures	Results of once per shift observations shall be recorded in a log.	The temperature measurements will be recorded continuously.	Results of once per day observations shall be recorded in a log.